PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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K Davis
4-26-04

In re application of

Hidemi SASAKI, et al.

Docket No: Q56632

Appln. No.: 09/434,121

Group Art Unit: 2626

Confirmation No.: 3518

Examiner: Mark E. WALLERSON

Filed: November 05, 1999

For: PRINTER AND PRINTING METHOD

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111

MAIL STOP NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 4, 2004, reconsideration and allowance of the subject application are respectfully requested. Upon entry of this Request, claims 4-9 and 13-17 are pending in the application. Applicant respectfully submits the pending claims define patentable subject matter.

Claims 4, 5, 8, 13 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumura et al. (U.S. Patent No. 5,110,106; hereafter "Matsumura") in view of Numata et al. (U.S. Patent No. 5,870,114; hereafter "Numata"). Claims 7 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumura in view of Numata and Kumon (U.S. Patent No. 5,208,902). Claims 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumura in view of Numata and Lindstrom et al. (U.S. Patent No. 6,079,807; hereafter "Lindstrom"). Claim 9 and 17 are rejected under 35 U.S.C. § 103(a) as

being unpatentable over Matsumura in view of Numata and Yamashita et al. (U.S. Patent No. 5,642,147; hereafter "Yamashita"). Applicant respectfully traverses the prior art rejections.

In the present Office Action, the Examiner (pages 1 and 2 of the Office Action) asserts:

> Matsumura discloses a printer (1) in which a plurality of types of recording medium are usable (Table 1), comprising an input section operable to automatically input information representing the types of recording material, wherein the types of recording material has at least one printing region having a shape different from a printing region of other types of recording material (which reads on Postcard, B-type and A-type recording paper) (column 5, lines 57-59), the type information indicating a size and type of recording material (column 5, 5-637) ....

However, Applicant respectfully submits that the Examiner's position is incorrect since Matsumura disclosing inputting only the lengthwise and widthwise sizes of the recording material. In particular, similar to Kumon, Matsumura simply discloses inputting a length and a width (i.e., the physical dimensions) of the recording sheet via the detection of setting positions of sheet guides 20 and 25 slidably disposed on guide rails 15 and 16, respectively.

As shown in Figure 1 of Matsumura, the sheet guides 20 and 25 are provided for orienting a sheet in a sheet feed tray 10 so that the sheet will be positioned lengthwise and widthwise in a sheet feed direction. The guide rails 15 and 16 are arranged orthogonal to each other in order to guide the sheet guides 20 and 25 via sliding members 21 and 26 with which the sheet guides 20 and 25 are engaged. Cam members 22 and 27 respectively project from the sides of the sliding members 21 and 26 so as to contact lengthwise and widthwise detecting means (micro switches) SA1-SA4 and SB1-SB3 located at predetermined positions along moving paths of the guide rails 15 and 16. The detecting means SA1-SA4 and SB1-SB3 detect the position where sheet guides 20 and 25 are stopped and transmit detected sheet size data

representing sheet size range increments to a controller 30. Based on the detected sheet size data transmitted from the lengthwise and widthwise detecting means (micro switches) SA1-SA4 and SB1-SB3, the controller 30 determines a sheet size by comparing the detected sheet size data to sheet size group data stored in a memory circuit.

Accordingly, Applicant respectfully submits that it is quite clear that Matsumura discloses inputting only the lengthwise and widthwise sizes of the recording material.

Similar to the previous rejections based on Kumon, the Examiner appears to be improperly construing the phrase "a type of the recording material" as reading on different recording sheet sizes such as paper sizes A5, A4, A3, ..., B5, B4, B3, etc. However, the A-type and B-type paper size designations simply indicate a standard metric size of a recording sheet under the ISO (International Organization for Standardization) standard size system. In other words, the designations of A5, A4, A3, B5, B4 and B3 indicate the size (physical dimensions) of the recording sheet rather than the type of recording sheet. Similarly, the designations "postcard" (100 mm x 148 mm) and "visiting card" (55 mm x 91 mm) simply indicate the size of the recording sheet. However, recording sheet types such as a standard (paper) recording sheet and a multi-frame sticker type recording sheet may have identical sizes but different image recording areas.

Moreover, even if the metric A and B size designations are interpreted as a type of recording material (which Applicant submits is incorrect), the information signals (sheet size data) generated by the detecting means (micro switches) SA1-SA4 and SB1-SB3 indicate lengthwise and widthwise size range *increments* of the recording sheet rather than the particular

recording sheet sizes (such as A5, B5 or postcard). Matsumura teaches determining the sheet size based on a series of comparisons between the detected sheet size data and size data for a plurality of sheet size groups. That is, the detected sheet size data supplied by the detecting means (micro switches) SA1-SA4 and SB1-SB3 is first used to identify a sheet size group from a plurality of sheet size groups to which the detected sheet size data belongs, and then the size of a sheet is identified from the identified sheet size group based on the detected sheet size data.

In view of the above, Applicant respectfully submits independent claims 4 and 13 should be allowable since Matsumura, alone or in combination with the other cited references, does not teach or suggest automatically inputting type information representing one of a plurality of types of recording material, wherein the type information indicates a size and a type of the recording material, as claimed.

With regards to dependent claims 9 and 17, the Examiner again cites Yamashita for disclosing "the material is a standard type (ordinary paper) and a sticker type (label)." Further, the Examiner asserts "it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Matsumura as modified by the teaching of Yamashita in order to give the user a greater variety of recording medium from which to choose from."

However, Yamashita simply discloses a paper detecting switch for generating a signal indicating the presence or absence of paper in the paper conveying path and a printing mode switching unit 16 (i.e., a manual switch disposed on the printer body) for switching between a first mode as a label making mode and a second mode as an ordinary paper printing mode. Nowhere does Yamashita teach or suggest automatically inputting type information stored in an

information recording medium secured to a sheet supply container, wherein the type information indicates *both* a size of the recording material *and* a type of the recording material, and the types of recording material include a standard type and a sticker type. Similarly, Matsumura fails to disclose this feature of the claimed invention for the reasons discussed above with regards to claims 4 and 13.

Thus, the combination of Matsumura and Yamashita would simply result in a printer which inputs a lengthwise and widthwise size data of the recording sheet via the detection of positions of sheet guides of a paper supply cassette, and inputs a type of the recording material via the setting position of a manual switch on the printer body.

Accordingly, Applicant respectfully submits that claims 13 and 14 should be allowable because the combined references do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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